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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/056,876	01/25/2002	Stanley Edward Jaffe	10011300-1	1781

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AGILENT TECHNOLOGIES, INC.  
INTELLECTUAL PROPERTY ADMINISTRATION, LEGAL DEPT.  
P.O. BOX 7599  
M/S DL429  
LOVELAND, CO 80537-0599

EXAMINER

MISTRY, O NEAL RAJAN

ART UNIT PAPER NUMBER

2173

DATE MAILED: 09/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/056,876

Applicant(s)

JAFFE, STANLEY EDWARD

Examiner

O'Neal R Mistry

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 25 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

1. This application has been examined.
2. Claims 1-20 are presented for examination.

***Drawings***

3. The Examiner contends that the drawings submitted on January 25, 2002 are acceptable for the examination proceedings.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claim 1-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Lewis et al (U.S. Patent Number 5,381,524)
5. In regards to claim 1, Lewis discloses an electronic instrument comprising:  
a display for displaying a signal waveform (col. 4 lines 58-60) [Signal waveforms 42 are drawn by an operator with a mouse in the Diagram Window and comprise an ordered sequence of states and edges. Signal waveforms describe data, logic or control signals within a circuit.];  
a pointing device that allows a user to select locations on the display (col. 3 lines 43-46) [Also included in the preferred embodiment are input

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devices, for example, a mouse pointing device 18 and a keyboard 20.]; and,

logic within the electronic instrument that adjusts values for a selected parameter of the displayed signal waveform based on locations on the display selected by the user using the pointing device (col. 12 lines 1-4) [To change the state of an edge, the operator selects the edge and clicks the appropriate state button, or presses the right mouse button to cycle through possible edge states.]. The examiner interprets that by using the pointing device the user has the ability to change the state of the variable in the signal waveform, this would cause a change in the out of the entire graph.

6. In regards to claim 2, Lewis states the pointing device is at least one of the following: a mouse; a trackball; a touchpad; a touchscreen; cursor keys. (col. 3 lines 43-46) [Also included in the preferred embodiment are input devices, for example, a mouse pointing device 18 and a keyboard 20.]

In regards to claim 3, Lewis states the selected parameter is at least one of the following: zoom in; zoom out; (col. 10 lines 9-12) [Referring again to FIG. 1, the scroll bars 66 in the Diagram Window 36 can be used by the operator to scroll, zoom and otherwise alter the display of waveforms on the PC monitor 12.]

7. In regards to claim 4, Lewis discloses a menu displayable on the display that lists possible selected parameters (col. 3 lines 55-57) [operating

environment 22, such as selecting objects, editing text, working with menus and dialog boxes, etc.]. The examiner interprets that the user has the ability to change option on the graph by using the menu on the top of the screen in Figure 3.

8. In regards to claim 5, Lewis states a menu displayable on the display that allows the user to select parameters (col. 5 line 65- col. 6 line 2) [FIG. 3 illustrates a Diagram Window 36 which contains the graphical representation of the circuit timing. Included in the Diagram Window 36 are menus 60 that contain the commands used for creating diagrams; a tool bar 62 that provides an instant access to the most frequently used commands and functions].

9. In regards to claim 6, Lewis discloses a pull down menu displayable on the display that allows the user to select parameters (Figure 3 & col. 8 line 66- col. 9 line 2) [Referring again to FIG. 1, there is a tool bar 62 present in the Diagram Window 36 in addition to pull-down menus 60.]. The examiner notes that FILE, EDIT, VIEW... are pull down menus for the user to utilize with pointing device, and also display all the possible parameters to be selected.

10. In regards to claim 7, Lewis states a pull down menu displayable on the display that allows the user to select parameters, the pull down menu, when closed, displaying the selected parameter (Figure 3 col. 8 line 66-col. 9 line 2) [Referring again to FIG. 1, there is a tool bar 62 present

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in the Diagram Window 36 in addition to pull-down menus 60.). The examiner notes that FILE, EDIT, VIEW... are pull down menus for the user to utilize with pointing device.

11. In regards to claim 8, Lewis discloses the logic adjusts values for the selected parameter of the displayed signal waveform as the user makes a dragging selection using the pointing device (col. 12 lines 1-4) [To change the state of an edge, the operator selects the edge and clicks the appropriate state button, or presses the right mouse button to cycle through possible edge states.]. The examiner interprets that by using the pointing device the user has the ability to change the state of the variable in the signal waveform, this would cause a change in the out of the entire graph.

12. In regards to claim 13, Lewis discloses displaying a menu that lists possible selected parameters (Figure 3 & col. 8 line 66-col. 9 line 2) [Referring again to FIG. 1, there is a tool bar 62 present in the Diagram Window 36 in addition to pull-down menus 60.]. The examiner notes that FILE, EDIT, VIEW... are pull down menus for the user to utilize with pointing device, and also display all the possible parameters to be selected.; and,

changing the selected parameter in response to a user selection (col. 9 lines 4-7) [The Pointer button selects a pointer tool which is a general purpose tool used for replacing and moving edges;

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selecting objects, etc.]. The examiner interprets that the user as the ability to change option on the graph on Figure 3.

13. Claim 9, 16 are substantially equivalent to claim 1, therefore claim 9, 16 are rejected because of similar rationale.

14. Claim 10, 17 are substantially equivalent to claim 2, therefore claim 10, 17 are rejected because of similar rationale.

15. Claim 11, 18 are substantially equivalent to claim 3, therefore claim 11, 18 are rejected because of similar rationale.

16. Claim 12 is substantially equivalent to claim 4, therefore claim 12 is rejected because of similar rationale.

16. Claim 14 substantially equivalent to claim 7, therefore claim 14 is rejected because of similar rationale.

17. Claim 15, 20 are substantially equivalent to claim 5, therefore claim 15, 20 rejected because of similar rationale.

18. Claim 19 is substantially equivalent to claim 13, therefore claim 19 is rejected because of similar rationale.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to O'Neal R Mistry whose telephone number is (703) 305-2738. The examiner can normally be reached on 9am - 6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W Cabeca can be reached on (703)308-3116. The

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fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

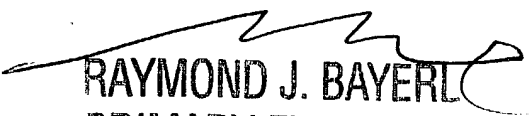
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O'Neal Mistry

Assistant Patent Examiner

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[o'neal.mistry@uspto.gov](mailto:o'neal.mistry@uspto.gov)



RAYMOND J. BAYERL  
PRIMARY EXAMINER  
ART UNIT 2173